

41 2135



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael Kirkwood, et al.	)	Confirmation No.: 1924
	)	
Serial No.: 09/908,947	)	Examiner: HAMILTON,
	)	MONPLAISIR G.
Filed on: July 18, 2001	)	Group Art Unit No.: 2135

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Technology Center 2100

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

- ☐ 37 C.F.R. §1.97(b).
- ☒ 37 C.F.R. §1.97(c). If so, then this Information Disclosure Statement includes one of the following:
  - ☒ A statement pursuant to 37 C.F.R. §1.97(e)

☐ 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in communication from a foreign patent office in a counterpart

cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

  X   1.97(e)(2) The undersigned hereby states that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

           A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

           37 C.F.R. §1.97(d). If so, then this Information Disclosure Statement includes the following:

           A statement pursuant to 37 C.F.R. §1.97(e)

           1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; OR

           1.97(e)(2) The undersigned hereby states that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

AND

           A check for \$180.00 for the fee under 37 C.F.R. §1.17(i) for submission of the Information Disclosure Statement.

           37 C.F.R. §1.97(i). Wherein applicants are submitting references before the grant of a patent to be placed in the file but not considered by the Patent office.

- (1) Accordingly, copies of the references as listed on the attached Form PTO 1449 are submitted herewith for placement in the file. No certification or fees are deemed necessary.

The Examiner's attention is directed to the following related application(s) for the following reasons (as indicated by an "X" to the left of the appropriate paragraph):

\_\_\_\_\_ The Examiner is hereby notified that the following related application has been filed:

U.S. Application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.

This related application contains one or more claims that may be substantially similar to one or more claims in the present application. Therefore, the Examiner is encouraged to reference the file history of the related application as some of the information contained therein may be material to the examination of the present application.

  X   The Examiner is hereby notified that the present application is related to the following related application(s):

U.S. Application Serial No. 09/823,819, filed on March 30, 2001.

U.S. Application Serial No. 09/909,108, filed on July 18, 2001.

U.S. Application Serial No. 09/925,204, filed on August 8, 2001.

The related application(s) contain(s) one or more claims that may be substantially similar to one or more claims in the present application, those claims may have been rejected in the related application(s), and a different interpretation may have been applied to one or more of the references that are of record in the present application. Therefore, the Examiner is encouraged to review the file history(ies) of the related application(s) as some of the information contained therein may be material to the examination of the present application.

  X   The Examiner is hereby notified that for the following related application(s) an Office Action has been received as indicated below:

U.S. Application Serial No. 09/925,204, filed on August 8, 2001 (Office Action mailing date March 25, 2004).

U.S. Application Serial No. 09/823,819, filed on March 30, 2001 (Office Action mailing date June 14, 2004).

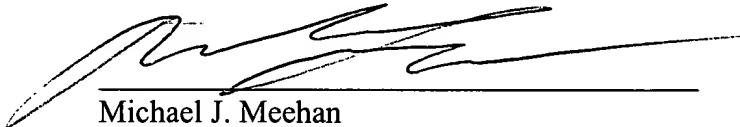
The related application(s) contain(s) one or more claims that may be substantially similar to one or more claims in the present application, those claims may have been rejected in the related application(s), and a different interpretation may have been applied to one or more of the references that are of record in the present application. Therefore, the Examiner is encouraged to review the file history(ies) of the related application(s) as some of the information contained therein may be material to the examination of the present application.

Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: June 21, 2004

  
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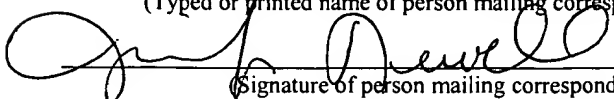
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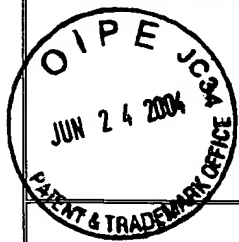
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June 22, 2004  
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Jennifer Newell

(Typed or printed name of person mailing correspondence)

  
\_\_\_\_\_  
(Signature of person mailing correspondence)



**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION  
(PTO-1449)**

**ATTY. DOCKET NO.**  
50325-0529

**SERIAL NO.**  
09/908,947

**APPLICANT:**  
Michael Kirkwood, et al.

**FILING DATE:**  
July 18, 2001

**GROUP:**  
2135

**U.S. PATENT DOCUMENTS**

Exam. Initial*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (If known)			
		5,752,023		Choucri et al.	05-12-1998	
		6,085,187		Carter	07-04-2000	
		6,139,201		Carbonell et al.	10-31-2000	
		6,154,213		Rennison et al.	11-28-2000	
		6,230,173	B1	Ferrel et al.	05-08-2001	
		6,315,572	B1	Owens et al.	11-13-2001	
		6,327,593	B1	Goiffon	12-04-2001	
		6,453,315	B1	Weissman et al.	09-17-2002	
		6,519,588	B1	Leschner	02-11-2003	
		6,556,982	B1	McGaffey et al.	04-29-2003	
		2003/0131007	A1	Schirmer	07-10-2003	
		6,629,097	B1	Keith	09-30-2003	
		6,735,593	B1	Williams	05-11-2004	

**FOREIGN PATENT DOCUMENTS**

Exam. Initial*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD- YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (If known)				

**Examiner  
Signature**

**Date Considered**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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